

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-mc-00010

Larry Kalmowitz and Rebecca Kalmowitz,
Plaintiffs,

v.

**Federal Home Mortgage Corporation, Jack O'Boyle and
Associates, Specialized Loan Servicing LLC, Wells Fargo
Bank N.A., and Wells Fargo Home Mortgage,**
Defendants.

Before BARKER, *District Judge*

ORDER


Plaintiffs Larry and Rebecca Kalmowitz, proceeding *pro se*, filed a motion to confirm an alleged \$1,751,000 arbitration award against each defendant listed above, as awarded by arbitrator Keisha Jones. Doc. 1. This case was then referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636.

On October 22, 2019, Judge Love issued a report and recommendation finding the arbitration award and associated documents meritless because the parties did not have a valid agreement to arbitrate. Doc. 9. Accordingly, Judge Love recommended that the court deny plaintiffs' motion and dismiss the action with prejudice. *Id.* Plaintiffs acknowledged receipt of this report and recommendation (Doc. 10) and filed no objections.

The court finds no "clear error on the face of the record" in Judge Love's recommendation. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (*en banc*) (quoting Fed. R. Civ. P. 72(b) advisory committee's note (1983)), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1). Thus, the report and recommendation (Doc. 9) is **adopted**. Plaintiffs'

motion (Doc. 1) is **denied** and this action is **dismissed** with prejudice.

So ordered by the court on November 21, 2019.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge